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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,888	03/04/2004	Gerard Terreault	696-B01.US	4814

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EXAMINER

NGUYEN, HOANG V

ART UNIT PAPER NUMBER

2821

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/791,888

Applicant(s)

TERREAU ET AL

Examiner

Hoang V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 19-21 is/are allowed.
- 6) ☒ Claim(s) 13 and 15 is/are rejected.
- 7) ☒ Claim(s) 14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/4/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobuchi et al (US 6,541,984 B2).

Regarding claim 13, Kobuchi (Figure 1) discloses a detector comprising an antenna 23; a signal analyzer 35 connected to the antenna, the electromagnetic signal being detected by the antenna and analyzed by the signal analyzer and converted to analyzed data; a control instrument 36 in communication with the signal analyzer, the control instrument receiving an analyzed signal data from the signal analyzer.

Regarding claim 15, as applied to claim 13, Figure 1 of Kobuchi shows that the control instrument is electrically connected to the antenna.

Allowable Subject Matter

3. Claims 14 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 1-12 and 19-21 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, Lemke et al (US 5,398,276) discloses an antenna apparatus for detecting a leaked electromagnetic signal, the apparatus comprising a telescoping antenna; a casing; and a signal analyzer connected to the telescoping antenna, the electromagnetic signal being detected by the antenna and analyzed by the signal analyzer. Lemke, however, fails to further teach a specific configuration wherein the casing including a first casing portion and a second casing portion; a portion of the antenna being mounted in the first casing; and the signal analyzer being disposed in the second casing portion.

Claims 2-12 are allowed for depending on claim 1.

Regarding claim 14, Kobuchi discloses a detector comprising an antenna; a signal analyzer connected to the antenna, the electromagnetic signal being detected by the antenna and analyzed by the signal analyzer and converted to analyzed data; a control instrument in communication with the signal analyzer, the control instrument receiving an analyzed signal data from the signal analyzer. Kobuchi, however, fails to further teach a configuration wherein the control instrument is wirelessly connected to the antenna.

Regarding claims 17 and 18, Kobuchi discloses a detector comprising an antenna; a signal analyzer connected to the antenna, the electromagnetic signal being detected by the antenna and analyzed by the signal analyzer and converted to analyzed data; a control instrument in communication with the signal analyzer, the control instrument receiving an analyzed signal data from the signal analyzer. Kobuchi, however, fails to further teach a specific configuration wherein the casing including a first casing portion and a second casing portion; a portion of the

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antenna being mounted in the first casing; and the signal analyzer being disposed in the second casing portion.

Regarding claim 19, Murtin et al (US 3,634,760) discloses a signal analysis method for analyzing an electromagnetic signal over a wide frequency band comprising the steps of processing the received electromagnetically signal data over a frequency band using mathematical transformation. Murtin, however, fails to further teach that the process is done digitally; also, the frequency band having a predetermined selectivity bandwidth increment into analyzed data, the predetermined selectivity bandwidth increment being smaller than the predetermined wide frequency band.

Claims 20 and 21 are allowed for depending on claim 19.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Patent 6,611,150 B1 discloses a leakage detector for use in combination with a signal level meter.
- Patent 6,472,947 B1 discloses a detector comprising telescoping antennas and a signal analyzer.
- Patent 5,117,377 discloses an adaptive control electromagnetic signal analyzer.
- Patent 3,946,388 discloses a system and method of analyzing electromagnetic waves.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang V. Nguyen whose telephone number is (571) 272-1825.

The examiner can normally be reached on Mondays-Fridays from 9:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Nguyen can be reached on (571) 272-1825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hvn
4/19/05



**HOANG V. NGUYEN
PRIMARY EXAMINER**